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*Attorneys for Defendants  
 C. R. Bard, Inc. and  
 Bard Peripheral Vascular, Inc.*

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF ARIZONA**

IN RE: Bard IVC Filters Products Liability  
 Litigation

MDL NO. 15-02641-PHX-DGC

**DEFENDANTS C. R. BARD, INC.'S  
 AND BARD PERIPHERAL  
 VASCULAR, INC.'S ANSWER AND  
 GENERAL DENIAL IN RESPONSE  
 TO PLAINTIFF'S FIRST AMENDED  
 COMPLAINT IN CASE NO. CV-19-  
 00755-PHX-DGC; JURY TRIAL  
 DEMAND**

Defendants C. R. Bard, Inc. ("Bard") and Bard Peripheral Vascular, Inc. ("BPV") (Bard and BPV are collectively "Defendants") hereby file this Answer and General Denial in response to the First Amended Complaint served on Defendants in *Dorothea Malys, as the Personal Representative of the Estate of Thomas Malys, deceased v. C. R. Bard, Inc., et al.*, AZ Member Case No. CV-19-00755-PHX-DGC ("Answer and General Denial").

1 Defendants further reserve the right to file any motion to dismiss for failure to state a claim  
2 with respect to this case, as set forth in Amended Case Management Order No. 4.

3 With respect to the allegations plaintiff(s) raise in *Dorothea Malys, as the Personal*  
4 *Representative of the Estate of Thomas Malys, deceased v. C. R. Bard, Inc., et al.*, AZ  
5 Member Case No. CV-19-00755-PHX-DGC, Defendants deny, generally and specifically,  
6 each and every allegation in plaintiff(s)' Complaint, the whole thereof, and each and every  
7 cause of action therein. Defendants further deny that the plaintiff(s) has sustained, or is  
8 entitled to recover, damages in any amount alleged or in any sum whatsoever. Defendants  
9 further deny that they are liable to the plaintiff in any amount, and further deny that the  
10 plaintiff has sustained injury, damage, or loss by reason of any act or omission by  
11 Defendants.

12 As for additional defenses, and without assuming any burden of pleading or proof that  
13 would otherwise rest on plaintiff(s), Defendants incorporate by reference the responses and  
14 Affirmative Defenses set forth in Defendants' Answer to Plaintiffs' Master Complaint filed in  
15 MDL 2641 on December 17, 2015 (Doc. 366). Defendants further reserve the right to raise  
16 such other affirmative defenses as may be available or apparent during discovery or as may  
17 be raised or asserted by other defendants in this case. Defendants have not knowingly or  
18 intentionally waived any applicable affirmative defense. If it appears that any affirmative  
19 defense is or may be applicable after Defendants have had the opportunity to conduct  
20 reasonable discovery in this matter, Defendants will assert such affirmative defense in  
21 accordance with the Federal Rules of Civil Procedure.

22 **REQUEST FOR JURY TRIAL**

23 Defendants C. R. Bard, Inc. and Bard Peripheral Vascular, Inc. demand a trial by jury  
24 on all issues appropriate for jury determination.

25 **WHEREFORE**, Defendants aver that the plaintiff(s) is/are not entitled to the relief  
26 demanded in the plaintiff(s)' Complaint, and these Defendants, having fully answered, pray  
27 that this action against them be dismissed and that they be awarded their costs in defending  
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1 this action and that they be granted such other and further relief as the Court deems just and  
2 appropriate.

3 This 30th day of July, 2019.

4 s/Richard B. North, Jr.  
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22 **Bard Peripheral Vascular, Inc.**  
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